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Decentralization and Conflict in Uganda

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Abstract:

Political economists have long debated the relationship between decentralization and conflict. There has been little discussion, however, about two key aspects of decentralization: first, to which levels of local government power should be decentralized, and second, on what basis new decentralized districts should be created. In order to understand the relationship between these two aspects of decentralization and conflict I investigate here the case of Uganda, where President Yoweri Museveni and his National Resistance Movement (NRM) government embarked on a radical decentralization programme upon coming into power in 1986. I argue here that Uganda's decentralization programme, while helping to reduce national-level conflict, has nonetheless replaced it with local-level conflict. This process has taken place in two ways. First, the concentration of local power at the district level has led to struggles over district leadership positions. Second, the huge expansion in the number of new districts has led to local-level conflict by altering relations between local ethnic groups.

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1. Introduction

Despite a burgeoning literature on decentralization and conflict, there has been no consensus among political economists about the relationship between these two phenomena. Bardhan (2005: 105), for instance, has suggested that decentralization may be a way to ‘diffuse social and political tensions and ensure local cultural and political autonomy.’ However, Brancati (2006) argues that, while decentralization may increase political participation, it may also encourage a growth in regional and ethnic political parties, and thereby lead to more conflict rather than less. Treisman (2007) differs again, arguing that generalizing about the relationship between decentralization and conflict is impossible.

This debate has largely been conducted about how and what functions of government should be decentralized to the local level in order to alleviate conflict. There has been little discussion, however, about two key aspects of decentralization: first, to which levels of local government power should be decentralized, and second, on what basis new decentralized political units should be created. In the first instance this topic is especially important to countries like Uganda which have a large number of layers of local government similar in structure. Unlike countries like the U.S., India or Nigeria with federal systems, where states are vastly different in design from village-level local governments, Uganda’s decentralization program has been well designed to diffuse power across different levels of local government. Yet there has been precious little analysis of the nature of decentralization on local-level conflict across these levels. In the second case, countries like Nigeria and Uganda have seen an explosion in the number of federal states and districts, respectively, as a means to build up patrimonial support among local elites without any concomitant research into what effect this process has had on local- and national-level conflict.

Thus I investigate here the case of Uganda, where President Yoweri Museveni and his National Resistance Movement (NRM) government embarked on a radical decentralization programme upon coming into power in 1986. Uganda’s decentralization program has drawn large amounts of praise from donors and scholars alike; Francis and James (2003: 325), for instance, have called it ‘one of the most far-reaching local government reform programs in the developing world.’ Yet I argue here that Uganda’s decentralization programme, while helping to reduce national-level conflict, has nonetheless replaced it with local-level conflict. This process has taken place in two ways. First, the concentration of local power at the district level rather than its diffusion across all five levels of local government has led to struggles over district leadership positions. Second, the huge expansion in the number of new districts has led to local-level conflicts in both the fight to create new districts and the way district creation has empowered local extremists.

This paper is structured as follows. First, I give an overview of decentralization in Uganda. Second, I examine the role of both the concentration of power at the district level as well as the increasing number of districts in Uganda as causal factors in conflict. Third and finally, I conclude with some wider thoughts on decentralization and conflict in countries like Uganda.

2. An Overview of Decentralization in Uganda, 1986-present

2.1. The Evolution of Decentralization in Uganda, 1986-present

Prior to 1986 Uganda's local government system was very much controlled from Kampala, a legacy of Milton Obote's rule from the 1960s. After his 1966 coup Obote centralized control over land at the national Uganda Land Commission and granted the central government the right to appoint all major local government jobs and dissolve local councils when it saw fit. Idi Amin's rule in the 1970s was no better: he benevolently allowed local elections for the first time in a decade in March 1973, only to appoint to local positions 728 soldiers – who were naturally only accountable to Amin and the Ugandan military leadership – two months later (Jørgensen 1981: 308). With no change under Obote's second period in power in the early 1980s, clearly both presidents only saw local government as merely an extended arm of the central government.

However, since coming to power in 1986, the NRM has invested much effort into completely transforming Uganda's local government system. It is difficult to overstate how much emphasis the NRM put on the success of its local government program upon taking power. Indeed, within months of assuming office Museveni appointed a Commission of Inquiry into the Local Government System: according to its chairman, Mahmood Mamdani (1997), the Commission 'considered the RC system as the kernel of the agrarian revolution brought to rural Uganda by the NRM.' The NRM totally altered the formerly top-down local government system by instituting local democratic control through an increased number of popularly elected posts while also making all citizens mandatory members of their local Resistance Councils (RCs).

The RC system was first implemented in a trial form as early as 1981, when the NRM and its armed faction the National Resistance Army (NRA) began to organize 'clandestine committees' purely as a means for civilians to provide food and security for the NRA as it conducted a rebel war against President Obote's second government. After securing enough territory the NRA named these committees Resistance Councils (RCs) and allowed them to take on the responsibility of governing villages as well. They did not collect taxes but rather judged local disputes, maintained regulations and roads and organized food supplies; RCs even had some remit to try and convict NRA soldiers involved in local crimes (Kasfir 2005: 287-288).

As the NRM regime became established in 1986 it spread the RC system throughout Uganda. Due to their democratic nature RCs were 'greeted with enthusiasm,' winning the 'confidence of members of the public... in most areas of the country' (Golooba-Mutebi 1999: 105, 109). At first the roles and responsibilities of the RCs were unclear, with many RC members initially thinking that their sole purpose was to distribute essential products like sugar. However, the system became institutionalized with the 1987 Resistance Councils and Committees Statute, which set up a five-tier structure of local governance. The RCs were numbered one through five, with RCI representing the village, RCII the parish, RCIII the sub-county, RCIV the county and RCV the district. Each level had an executive committee with a chair, vice-chair and seven other positions. All Ugandans residents were by definition members of their local RCIs, whose elected nine representatives then comprised the members of the RCIIIs, who elected among themselves representatives to send to the RCIIIs and so on up through to the RCVs. Elections for posts would take place every two years, beginning with the elections of 1987 and 1989, and RCI meetings took place on average once a month. The districts were administered through the executive councils of the RCVs, the District Administrators, appointed by President Museveni, and the District Executive Secretary, appointed by the Minister of Local Government.

The NRM continued to reform and adjust the local government system. In 1992 Museveni launched the Local Government Decentralisation Programme, which initiated financial decentralization in thirteen districts in 1993 and another thirteen the next year, leading to the devolution of ‘decision-making functions on all matters of local significance’ to the District Revolutionary Councils (DRCs). While the centre retained responsibility for ‘security matters, national planning, defence, immigration, foreign affairs and national projects..., all other activities become the responsibility of the DRCs’ (NV 6/4/1993).

In order to monitor this financial decentralization, the NRC passed the Local Governments (Resistance Council) Act of 1993, which transferred power from central government representatives to the elected members of the RCV. Specifically the Act replaced the District Administrator’s position as chairman of the local District Development Committee – whose job was to coordinate development activities in the district – with the RCV chairman, while making the District Executive Secretary responsible to the RCV rather than the Ministry of Local Government. The Act also created the Local Government Finance Commission (LGFC), designed to consider and recommend local government grants to the President, who appoints the LGFC’s seven members every four years. There are three types of local government grants, whose titles indicate their functions: unconditional, conditional and equalization.

Further reforms to the RC system appeared in the 1995 constitution and subsequent acts of Parliament. The Constitution – the country’s first since 1967 – renamed the RCs as Local Councils (LCs) while also mandating direct popular elections at all levels of local government. The Local Government Act of 1997 increased the powers of the local governments while formalizing the distribution of district revenue to be allocated to the various LC levels. For instance, it gave power over the hiring and firing of all local civil servants – some of whom were previously appointed by the central government’s Public Service Commission – to the District Service Commission, whose members are appointed by the District Council. As regards fiscal matters, power over revenue collection was given to the sub-county, of which it would retain 42.25%, redistributing 35% to the district, 3.25% each to the county and parish, and 16.25% to the villages. The Act also finalized the structure of equalization grants that are to be given to districts with poor revenue collection per capita; the government allocated 3.5bn Ush in equalization grants to 34 districts in 2004/05, up from 2.5bn in 1999/2000 (Government of Uganda 2005). Finally, the 1998 Land Act decentralized control over land from the Uganda Land Commission in Kampala to the various District Land Boards and Parish Land Committees, with Land Tribunals at the LCV and LCIII level.

2.2. Analysis of Uganda’s Decentralization Program

As noted, Uganda’s decentralization reforms have drawn high praise from a variety of scholars such as Furley (2000: 93), who writes of the LCs as ‘an important step in increasing democracy’ in Uganda, or Mamdani (1996: 208), who praised the creation of the LC system as one of ‘enormous significance.’ Government rhetoric about the LC system has also been extremely positive and has often linked the system to an increase in national solidarity: the then Minister for Foreign Affairs Ibrahim Mukiibi claimed that one of the purposes of the LCs was to ‘promote the national awareness and patriotism in our country,’ while deputy Minister Jack Sabiiti claimed that they are a ‘source of unity’ and ‘fulfill the ideals and wishes of our ancestors’ (NRC Hansard, 24/6/1987: 114; 25/6/1987: 127).

Certainly the most basic positive result of Uganda's decentralization program has been the way it has helped to prevent any repeat of the conflicts which wracked the country in the 1960s, when the Buganda kingdom government twice attempted to secede from the country. Indeed, the insipient talks of secession from politicians in northern Uganda dissatisfied with Museveni's conduct of the war with the Lord's Resistance Army seem to be more tied with the potential secession of southern Sudan than any internal dynamics within Uganda (Mao 2006). Similarly, the uniform way in which decentralization has been implemented across the whole country has helped to counter the accusations of regional bias that exist at the national level (Green 2006). With the sole exception of Kibaale district (as detailed below), President Museveni has not exercised his right to take over the functioning of district governments, even as local politicians like Gulu district chairman Norbert Mao explicitly oppose Museveni's policies and mobilize local resources against the national government.²

Yet, as detailed below, the end effect of Uganda's decentralization reforms has been to decentralize conflict to the local level. In order to examine this phenomenon, I first examine the way decentralization has been concentrated at the district level before moving on to detail the effect of the creation of new districts on local-level conflict.

3. Concentrated Decentralisation

Uganda's decentralization reforms were designed to give equal amounts of power to the various levels of the LC system, with particular emphasis on the LCIII. However, as Wunsch and Ottomoeller (2004: 207) note, 'the district is overwhelmingly the most powerful actor among the five levels of local government.' This concentrated decentralization has led to increased levels of local conflict for two reasons. First, the increased concentration of resources at the district level has led to struggles over the district leadership. Second, the concentration of power at the district has led the NRM government to maintain representatives at the district level, thereby leading to clashes between national and local governments at the district level. After sketching out how power has become concentrated at the district level, I examine each of these conflicts in turn.

3.1. The Concentration of Power at the District Level

Due to the failures of local revenue collection, the ability of districts to attract central government funds has led to a fiscal concentration at the LCV level. According to a LGFC study,

[The] Revenue sources assigned to local governments... include among others graduated tax, market dues, property tax, parking fees and permits... In this arrangement the central government has retained the high yielding taxes while the local governments were left with minor taxes with poor yield, difficult to assess, collect and administer (Government of Uganda 2002: 4).

Indeed, LCI-LCIV governments are almost completely reliant upon local revenue, most of which until recently came from graduated personal tax (GPT). The GPT was

² In this regard Museveni should be positively contrasted with the various Prime Ministers of India who have collectively used 'President's Rule' to take over the functioning of a federal state over 100 times since 1947.

a very regressive tax, with an upper limit of 80,000 Ush and an ‘extremely arbitrary’ system of assessing household income.³ Its subsequent unpopularity first led to a ‘reluctance to collect taxes’ on the part of local governments, which in turn led to a collection rate of only 60% of adults over 18 (Government of Uganda 2002: 4, 28). Thus local governments saw their total revenue collection decrease in nominal terms from 109bn Ush in 1997/98 to 51bn in 2002/03 (*EA* 9/8/2004). As a result of the GPT’s low turnover and high unpopularity the NRM eventually decided to eliminate it in 2005 to avoid it being a political issue in the 2006 presidential and parliamentary elections.

To compensate for decreasing local revenues, the central government has subsequently doubled the percentage of total public expenditure spent on local government, from 17% in 1994/95 to 35% in 2001/02 (Government of Uganda 2002: 9; Saito 2003: 127).⁴ Yet these funds are always first dispersed to the district governments, leading to an inevitable accumulation of what money does exist at the district level. Indeed, as MP Ezati Wadri (Terego, Arua) noted in 2001, ‘much as the center is decentralizing the resources and powers to the districts, the districts seem to be still clutching to power and the resources... When will the districts also reciprocate and be able to decentralize resources, authority and power to the lower levels?’ (Parliament of Uganda Hansard, 3/10/2001).

Furthermore, while the percentage of taxes collected by the sub-counties required by law to be given to the district did reach its source, the reverse was not true: ‘the revenues collected by the districts... [are] never shared with the sub-counties.’ Thus, the LGFC notes, the cash-strapped sub-counties do not have enough funds to send the legally mandated percentage of their revenues to the other levels of local government: ‘in some cases villages (LCI) and parishes (LCII) have received funds once in three years... The situation is made worse by the fact that higher local governments (districts and municipalities) do not share provide [sic] financial information to lower local governments’ (Government of Uganda 2002: 24-25, 33-34).

All the above is compounded by the fact that donors, in their attempt to fund Uganda’s decentralization program, often bypass the central government in order to give money directly to district governments – but not to any lower-level units. Indeed, donors have agreed to divide their concentration in Uganda according to district, with Austria focusing on Kisoro district, Belgium on Kasese district, Denmark on Rakai district, Ireland on Kibaale, Kiboga and Kumi districts, and the Netherlands on Arua, Katakwi, Lira, Moyo, Nebbi, Soroti and Yumbe districts. The result of this focus on the district level is an even larger build-up of assets at the LCV level (Interview with Martin Kabuye, Kiboga, 15/11/2001).

Various studies have confirmed this concentration of funds at the district level. For instance, a Ministry of Local Government survey of nine districts in 2002 noted that ‘there is hardly any officer in charge of education in all the sub-counties visited... This is because this function is entirely being performed by the district.’ The same applied to health services: ‘at the sub-county level, health services are almost entirely

³ A person with an income of 32,000 Ush paid a GPT rate of 9.4% while people with incomes of 330,000 and 1.5m Ush only paid 5.7% and 5.3%, respectively (Livingstone and Charlton 1998: 504-505).

⁴ This increase has largely come in the form of the 26 available conditional grants under the Poverty Action Fund (PAF), 71% of which is transferred to local governments. From 1998 to 2001 the PAF doubled as a percentage of the central government’s budget, jumping from 17% to 34% (Government of Uganda 2002: 63).

being performed by the higher local government.’ In his field work in three districts in 1999 and 2000, Saito (2003: 138) came to similar conclusions, arguing that ‘disbursements of funds are often hindered by the upper levels of the LC system, particularly by districts for their administrative costs, and the full amount rarely reaches lower LCs for the intended local development activities.’ Similarly, Jones (2008) notes the way the Kumi district government in eastern Uganda has almost no presence at the sub-county or below except in the form of village courts.

3.2. Conflicts over District Leadership

The result of this concentration of resources at the district level is the increased importance of the position of LCV Chairman. One need no better example of this phenomenon than the decision of Norbert Mao, an MP for Gulu Municipality since 1996, to resign from Parliament in 2006 and run instead for the position of Gulu District Chairman. After winning the election he claimed that he was ‘tired of being a commentator in Kampala: in local government, you are in charge. In fact I wish I had gone there earlier’ (Mao 2006).

Yet the increased importance and power of the LCV chairman has also led to a concomitant rise in conflict over the position, and as a result elections for LCV Chair, held every five years, are very often fraught affairs, regularly drawing more ire and attention than elections for Parliament. A prime example was the 2002 LCV election in Kibaale, a district in western Uganda. A district which was traditionally populated by members of the Banyoro ethnic group, there had been two resettlement schemes in the 1970s and 1990s that brought over Bakiga from the highly-populated area of Kigezi in south-western Uganda. The result of these schemes, however, was to increase the percentage of Bakiga in the district to over 50% to the point where Robert Kakooza, a Mukiga,⁵ was elected as MP for Buyaga county in 1996; Kakooza was, however, replaced by Ignatius Musisira, a Munyoro, in the subsequent 2001 election.

While the 1996 parliamentary election was a peaceful affair, the same cannot be said for the 2002 LCV election. In preparation for the election, between the incumbent Munyoro Sebastian Ssekitolekko and the Mukiga Fred Ruremera, a local xenophobic Banyoro group launched a campaign of violence that included hate speech on local radio. Violence inevitably broke out after the election, with several Bakiga murdered by Banyoro extremists and many more being threatened with expulsion from the district, leading to the deployment of anti-riot police. President Museveni responded with his first-ever – and so far only – use of clause 202 of the 1995 Constitution of Uganda, which allows him to take over the rule of a district in exceptional circumstances, thereby negating Ruremera’s election. Indeed, rather than reprimand the local extremists who stoked up the violence, Museveni replaced Ruremera with George Namyaka, a native Munyoro, in order to calm the situation (Green 2007).

Another example comes from neighbouring Kiboga district. Local MP and Minister of State for Defence Ruth Nankabirwa intervened in the 2002 LCV election, accusing the incumbent Siraje Kizito of embezzling more than 200m Ush, and then later claimed that Kizito’s subsequent re-election was only due to the illegal importation of voters from outside Kiboga. In a subsequent trial in Kampala, losing

⁵ Mukiga is the singular form for Bakiga; a similar rule applies to other Bantu ethnic groups like the Baganda, Banyankole and Banyoro.

LCV candidate Edward Katumba accused Kizito, a Muslim, of giving and promising piglets to voters in return for votes and accused the EC of failing to update the district's voters register; as a result, the High Court declared the LCV seat vacant and called for another election in July 2002. The matter was eventually resolved when the Court of Appeal upheld the election in a unanimous decision, claiming that the electoral irregularities were not large enough to affect the result.

LCV elections are regularly challenged in court, especially on the charge that candidates do not hold any A-levels, the academic minimum for holding the district chairmanship. As with parliamentary seat elections, which have also been challenged due to lack of academic qualifications, opposition candidates and supporters have used the courts to challenge candidates they were previously unable to defeat at the polls. Most recently, the LCV Chairperson of Bududa district in eastern Uganda had his 2006 election nullified by the Ugandan High Court after failing to present official A-level papers, while in 2002 the Electoral Commission disqualified three LCV chairperson candidates in Kamuli, Mayuge and Mukono districts for lack of qualifications. In Masaka district in southern Uganda the losing candidate in the 2002 LCV elections, former MP Shannon Kakungulu, sued the winner, Vincent Ssempijja, for failing to hold the proper qualifications. After intervention in the case from President Museveni, NRM Vice-Chairman Moses Kigongo and Minister of Local Government Jabieri Bidandi-Ssali, Kakungulu dropped the suit, only to have the charge against Ssempijja resurface in the 2006 elections. In Kiboga district, in 1998 the High Court ruled that the winner of the LCV Chairmanship election did not have the proper academic qualifications to run for the post, forcing a new election. The by-elections held for the post in January 1999, were nullified by the Electoral Commission (EC) for various electoral malpractices, including the arrest of seven electoral officers, one of whom was accused of voting more than one hundred times. In the end the aforementioned Siraje Kizito won the election after only around ¼ of the electorate voted: the MP Nathias Sewankambo (Kiboga East) blamed the low turnout on people's fear of being arrested by the hundreds of EC officials and volunteers supervising the election.

3.3. National-Local Conflict

The second reason why power has been concentrated at the district level is because of the NRM's interest in maintaining power over local politics. This is not atypical of the experience of decentralization in other African countries like Kenya, Nigeria and Zimbabwe, whose governing parties have simultaneously pursued decentralization while also seeking to extend their political power into the countryside in order to win elections (Crook 2003). Indeed, Uganda's existence as a 'no-party' state until 2005 meant that the NRM was able to extend itself into countryside through official state control. Perhaps the most obvious example of this phenomenon was the passing of the Movement Act in 1997, which established an NRM committee at each level of local government whose members are elected by the next-lowest level.⁶ In doing so it also made all LC council members from the village to the district automatically members of the NRM, leading to be seen by many Ugandans as 'a ploy by the Movement to turn the five-tiered [LC] system into branches of the movement'

⁶ In other words, it uses the same indirect voting system by which the RC committees above the village level were elected prior to the 1995 constitution.

(Tripp 2004: 17). Despite a transition to a multi-party system in 2005, the Movement Act still remained on the books for the 2006 LC elections.⁷

However, these local NRM committees are largely non-functional except during election time. On a day-to-day basis the central government only has representatives at the district level, specifically in the two posts of the Chief Administrative Officer (formerly District Executive Secretary) and the Resident District Commissioner (formerly District Administrator). Inevitably the attempts of the central government to wield power through these two positions has led to conflict with the district governments, as detailed below.

As chief technocrat in the district, the Chief Administrative Officer (CAO) is one of the most powerful positions in local government. The Local Government Acts of 1993 and 1997 gave local District Service Commissions the power to appoint their CAOs, who were thenceforth responsible to the local LCV. Yet these Acts did not prevent the Ministry of Local Government from intervening in the appointment and firing of CAOs due to its fiscal control over central government grants. One such incident occurred in June 2003, when the Ministry cut off funding for seven districts until the LCVs had removed their CAOs, while in April 2004 the Ministry Permanent Secretary Vincent Ssekono told the Tororo LCV chairman that, if he did not sack the district CAO, Ssekono 'would advise the ministry of Finance to suspend unconditional grants to the district' (*M* 14/6/2003; *M* 25/4/2004).

More recently, in the same Constitutional (Amendment) Bill that removed presidential term limits in 2005, the Ugandan government recentralized the role of the CAO. Specifically, it withdrew powers of appointment from the District Service Commission and re-allocated them to the Public Service Commission in Kampala. While the government claimed that this change was necessary as a means to remove corrupt CAOs, ARD (2005: 40) has correctly noted that the idea that central government transfers to local governments are now controlled by central government appointees 'cuts at the very heart of the decentralization reform.'

The second central government representative, the Resident District Commissioner (RDC), is appointed by and responsible to the President and coordinates future planning through the District Development Committee as well as monitoring and overseeing local government programs more generally (Interview with Protaz Tigurihwayo, Masaka, 13/12/2001).⁸ Indeed, the strategy of the NRM in moving RDCs around the country like foreign diplomats, with only a couple of years at their post before assuming a new position, has prevented the RDCs from identifying with local concerns against those of the central government. This was quite obvious in the case of Protaz Tigurihwayo, the RDC for Masaka when I visited in December 2001 and a Munyankole from Bushenyi district who had never before served as RDC. Tigurihwayo's main complaint about the local government system was that his hands were tied by both the LCV chairperson, whom he claimed had too much power, and by LCV technocrats, whom he claimed should be appointed by the central government rather than by the District Service Commission (Interview with Protaz Tigurihwayo, Masaka, 13/12/2001). Tigurihwayo's dislike for local government staff could explain why the Masaka LCV executive council voted unanimously in favour of his transfer on December 18, 2003; he was moved back out

⁷ More recently the Ugandan Constitutional Court ruled that the 2006 LC elections were illegal under the new multi-party system; as a result the Parliament passed a law in February 2008 allowing for a new set of local elections across the country.

⁸ Tigurihwayo also noted that his job involved 'making sure the President's name is not damaged.'

west to Ntungamo district in President Museveni's 2003 RDC reshuffle five days later.

As regards the RDC's role in elections, the International Foundation for Election Systems noted that

The RDCs play an important role in many districts, controlling the electoral colleges representing these special interest groups as well as administering the political mobilizers in each district and the party schools. The RDCs played a partisan role in [the 1996 presidential and parliamentary] elections... (quoted in Human Rights Watch 1999, Chapter 6).

More recently, in the context of the 2004 debate about President Museveni's potential third term, the RDCs were accused by MPs of serving as NRM apparatchiks:

Geoffrey Ekanya (Tororo) and Miria Matembe (Mbarara) said resident district commissioners were barring politicians including anti-Movement MPs from holding meetings. Matembe said RDCs had taken on the role of parroting instead of monitoring or overseeing developments by local governments on behalf of the Government. "If you are not carrying *mashansha* (dry banana leaves, a symbol of third term for presidency) the RDC hates you," she said (NV 14/8/2004).

That RDCs are generally pro-Movement should not be too surprising, considering that Museveni has made it a policy to appoint political allies who had lost elections; for instance, in his 2007 reshuffle he appointed as RDCs former ministers Alfred Ogaba and Wanjusi Wasieba, losers in the 2006 Mbale Municipality and 2001 Aruu County MP elections, respectively. Naturally, while RDCs have failed to draw criticism from the Ministry of Local Government for being too pro-Movement, the Ministry has not refrained from rebuking CAOs or RDCs for 'engaging in politics and issuing political statements' when they 'criticize leaders in government,' as in the case where the Sironko district CAO blamed President Museveni for a shortfall in local revenue (NV 14/8/2004). For these reasons the main opposition candidate in the 2001 and 2006 presidential elections, Kizza Besigye, promised in 2006 to abolish the position of RDC if he were elected.

It is therefore hardly surprising that one parliamentarian complained in reference to the CAO that 'decentralization means that powerful district leaders are assigned instead of being elected from within' (Constituent Assembly Proceedings 6/7/1994: 624), and that little has changed in the intervening years to invalidate this claim.

4. District Creation

Uganda has seen an explosion in the number of districts, going from 33 in 1986 to 80 in 2007. While this expansion has ostensibly been guided by the 1995 constitution, whose Article 179 permits the government to create new districts 'on the necessity for effective administration and the need to bring services closer to the people,' it is more likely Museveni has employed district creation as a source of patronage that allows him to continue winning elections (Green 2008). The creation of these new districts has, however, increasingly politicizing ethnicity in Uganda despite Museveni's claims to the contrary. It is thus not clear that, despite Treisman

(2007: 245)'s claim to the contrary, the creation of new local government units has stabilized politics in Uganda.

In this section I first sketch a history of district creation in Uganda before examining the increased levels of local conflict over district creation since 1986.

4.1. A History of District Creation in Uganda

Under British colonialism Uganda was divided into four provinces, namely northern, eastern, western and the kingdom of Buganda. These provincial divisions were largely unimportant in the formation of political identities with the exception of the case of Buganda. Rather, each province was further divided into sixteen districts, which were overseen by British District Commissioners. Other than in Buganda these districts were created along 'tribal' lines, whereby each district was supposedly ethnically homogenous and was ruled through 'traditional' leadership. These districts were thus important in the subsequent formation of ethnic identity, for instance in the case of the Acholi and the Karamojong in the north and the Iteso in the east (Apter 1959). However, the British conception of African tribes as eternal and unchanging meant that new districts were very rarely created, and then only for explicitly administrative purposes.

Upon independence in 1962 Uganda's provincial divisions were dropped with one exception, Buganda, which subsequently became a federal state. However, clashes between the then President of Uganda, the *Kabaka* (King) of Buganda, and Prime Minister Milton Obote led to the latter ousting the former in a coup in 1966, leading to the abolishment of Buganda as a governmental unit in Obote's 1967 constitution. Idi Amin, however, subsequently reintroduced ten provincial governments in 1974, this time under the rule of military Governors, while also almost doubling the number of districts to 37. As Jørgensen (1981: 309) notes, the reintroduction of the provincial level as well as new districts provided patronage posts for Amin's more ambitious soldiers, thereby relieving pressure on national politics and giving the new governors free reign to wreak havoc on the countryside.

After Amin was overthrown the Uganda National Liberation Front government of 1979-1980 reduced the number of districts to 33, where it remained for a decade. Museveni's aforementioned Commission of Inquiry into the Local Government system – whose members were largely composed of academics, including current Prime Minister Apolo Nsibambi – deliberated about the creation of new districts. It was, by implication, very critical of the proliferation of districts under Amin, arguing that, 'quite often, the response of governments to popular demands for a more responsive administration (e.g., better services) has been to create new and smaller units... There is no doubt that the multiplication of administrative units is a costly affair' (Government of Uganda 1987: 117). In principle, the Commission, noted,

We were hesitant to recommend the creation of new and additional administrative units, bearing in mind that these would increase unproductive costs of administration, both in terms of creating an administrative infrastructure and payment of personnel... Given our strong view that the exercise in creating new districts over the past decade and a half has been arbitrary, haphazard and hardly defensible, we would have recommended a review of the status of all existing districts with a view to de-grading those which do not meet minimum criteria... Should such a review be undertaken in

the present circumstances, it would undoubtedly result in a large number of the newly created districts losing their existing status (Government of Uganda 1987: 121-123).

After spending several months touring the country, the Commission accumulated eleven requests for the creation of new districts, of which it only recommended four. Yet Museveni, while failing to pursue the review of existing districts as recommended by the Commission, nonetheless withheld the creation of any new districts, only relenting on the case of Kalangala (comprising the Sese islands in Lake Victoria) in 1990. The next year, however, Museveni undertook the other three recommendations of the Commission and added another, the aforementioned district of Kiboga. As Table 1 demonstrates, Museveni continued to add districts in 1994, 1997 and 2000 before announcing the creation of 23 new districts in 2005, the largest ever increase in Uganda's history.⁹ Thus Uganda now has 80 districts, more than twice as many as when Museveni took office and more than four times as many as when Amin took office in 1971.

Table 1: District Creation in Uganda
(Sources: Government of Uganda 1987, Ocwich 2005, US Census Bureau)

Year	Number of Districts	Population per District
1959	16	443,000
1962	17	456,365
1968	18	513,711
1971	19	526,853
1974	37	292,211
1979	33	368,115
1990	34	513,412
1991	38	476,474
1994	39	514,256
1997	45	455,718
2000	56	427,786
2005	70	402,848
2006	80	365,081

Furthermore, as Table 2 indicates, Uganda has the highest number of sub-national political units – here understood as the highest level of local government – of any country in Africa,¹⁰ as well as a population per district ratio among the lowest on the continent. Compared to other Anglophone countries and its neighbors in the Great Lakes region, Uganda has a lower population per highest-level unit ratio than any other country except Namibia and Botswana, which have extremely low population densities. Indeed, Uganda has less than half the population per district than Kenya does in her districts, despite the fact that Kenya's districts are secondary to her states, putting them at the same administrative level as Uganda's counties.

⁹ The districts were created in two sets, with fourteen new ones inaugurated in 2005 and another ten in 2006.

¹⁰ In fact, Uganda has the fourth-highest number of highest-level units of any country in the world, after Russia (83), the Philippines (82) and Turkey (81) and just ahead of Thailand (76). I owe this point to John McGarry.

Table 2: Sub-National Political Units (Highest Level) in Select African Countries
(Source: CIA World Factbook, US Census Bureau)

Country	Name of Unit	Number of Units	Population/Unit
Namibia	Regions	13	157,231
Botswana	Districts	9	182,222
Uganda	Districts	80	365,081
Burundi	Provinces	17	475,882
Malawi	Districts	27	492,000
Zimbabwe	Provinces	10	1,223,700
Zambia	Provinces	9	1,254,222
Tanzania	Regions	26	1,440,192
Sierra Leone	Provinces	4	1,501,250
Sudan	States	26	1,586,000
Rwanda	Provinces	5	1,927,600
Ghana	Regions	10	2,247,900
DR of Congo	Provinces	26	2,410,038
Nigeria	States	37	3,563,784
Kenya	Provinces	8	4,486,375
	<i>Districts</i>	<i>40</i>	<i>897,275</i>
South Africa	Provinces	9	4,909,778

4.2. District Creation and Conflict in Uganda

While a variety of explanations have been given as to the extreme nature of district creation in Uganda, perhaps the most plausible is that new districts have been a source of electoral patronage for Museveni. The large number of local jobs that are created with the addition of each new district have led voters to respond positively to district creation over the years: Table 3 demonstrates that voters in new districts were more likely to vote for Museveni than in other districts across the 1996, 2001 and 2006 presidential elections.

Table 3: Presidential Election Results for New Districts
(Source: Green (2008))

Election	Type of District	Museveni (%)	Other Candidates (%)
1996:	New Districts	89.2	10.8
	Ugandan Average	74.3	25.7
2001:	New Districts	72.5	27.5
	Ugandan Average	69.4	30.6
2006:	New Districts	73.6	26.4
	Ugandan Average	59.3	40.7

MPs have also been very happy to support district creation, as seen in 2005 when the most recent bout of district creation passed Parliament by a vote of 175 to none with one abstention, with hardly any debate about its detrimental aspects. As with voters, MPs have also seen the benefits of the jobs new districts can bring: for instance, MP Tiperu Nusura (Women, Yumbe) appreciated the ‘many more Women

Members of Parliament and jobs for the unemployed’ (Parliament of Uganda Hansard, 20 July, 2005). Nusura is correct to note the increased presence of Women MPs – one of whom is elected from each district – in Parliament, who have increased in number by 30 since the ratification of the 1995 constitution. Thus, of the 309 voting MPs, 69 are women MPs; while only 14.0% were women MPs in 1996, that ratio increased to 24.3% in 2008.

Along the same lines, another MP, Omara Atube (Otaka, Lira), noted that

Mr Speaker, the purpose of creating new districts is not about bringing services nearer to the people, but to contain tribal sentiments and create jobs. You are creating districts by dividing a group of people who should be in one county and taking them to another county. Somebody will contest for leadership from there because he belongs to that ethnic group, this group is a minority. These are realities of politics in Uganda (Parliament of Uganda Hansard, 20 July, 2005)

Atube is likewise correct to bring up the issue of ethnicity and district creation, as those ethnic groups without their ‘own’ district have been in the forefront for lobbying for district creation. This discourse was already noticeable in the mid-1980s, as the Local Government Commission received numerous requests for the creation of ethnically-defined districts. For instance, members of the self-described ‘Batagwenda’ ethnic group requested the creation of Ibanda district in western Uganda, claiming that their ethnic distinctiveness was reason enough to carve a new district out of Bushenyi, Kabarole and Mbarara districts (Government of Uganda 1987: 127-128).

On the one hand, the creation of new districts has never openly been linked to ethnicity since Museveni assumed office. The Commission rejected Ibanda and similar attempts at creating ethnically homogenous districts on the basis that such groups did not face discrimination within their district, while also noting that it rejected the creation of Busia district in eastern Uganda as it ‘has the potential of undermining the trend towards Tororo [district] becoming a successful ethnic “melting pot”’ (Government of Uganda 1987: 130). Similarly, Museveni himself has explicitly rejected the creation of new districts along ethnic lines, warning local politicians against ‘creating division among the people’ (NV 4/8/1997).

On the other hand, district creation has nonetheless been driven by a *de facto*, if not *de jure*, balkanization of local politics in Uganda. This process began with the listing of 56 ‘indigenous communities’ in the Third Schedule of the 1995 Constitution, whose numbers have since been expanded to include nine more such communities. What is striking about the Third Schedule is the way it defines indigeneity in Uganda as based on ethnic membership rather than geographic residence, a point that has drawn criticism from Mamdani (2001). Thus, according to the constitution, one is not an indigenous member Ugandan unless one’s ethnic group is listed in the Third Schedule, thereby creating the pressure for the ever-expanding number of ethnic groups listed in the Schedule. While the Third Schedule has not ostensibly been the basis for new district creation, it is clear that, once recognized in the constitution, ethnic groups have a greater claim to their own district. Indeed, it is no coincidence that the debate in the Parliament prior to the creation of new districts on 20 July, 2005, was about the further addition of nine ethnic groups to this list, leading to one MP complaining, ‘let us not start creating tribes like we are going to create districts’ (Parliament of Uganda Hansard, 20 July, 2005).

Thus, rather than containing ethnic sentiments as suggested by Atube above, the balkanization of Uganda into what the *East African* newspaper called ‘small tribal districts’ (*EA* 8/7/2002) has led to the increased salience of ethnicity in local politics as various ethnic groups claim their own districts. Similarly, despite evidence that a majority of new districts do not result in an ethnic group changing from minority to majority status in either the new or the ‘mother’ district (Green 2008), it is clear that the creation of new districts has reduced what were once ethnically heterogeneous districts to ones largely populated by only one or two major ethnic groups, a state of affairs identified as potentially dangerous by numerous scholars of civil wars (Collier and Hoeffler 1998, De Soysa 2002). Four examples of how the creation of new districts has led to local level ethnic conflict should suffice to demonstrate the pervasiveness of this phenomenon.

The first example is the division of Kabarole district in western Uganda into three districts in 2000. While Kabarole was and is seen as the core territory of the Toro Kingdom and thus home to the Batoro ethnic group, it has also been home to various indigenous minority communities such as the Bakiga, Banyankole and Batagwenda. Yet by the late 1990s members of these minority communities, all three of whom are listed as indigenous in the Constitution, felt confident enough to petition Museveni for the creation of two new districts, Kyenjojo and Kamwenge, along ethnic lines. As Batoro would no longer be dominant numerically in these two new districts, kingdom supporters were worried that Kyenjojo and Kamwenge would ‘secede’ from the kingdom;¹¹ similarly, with control over land now vested in District Land Boards (see above), Batoro would no longer be in charge of land allocation in the new districts. As a result noted Ugandan journalist Andrew Mwenda (1999) reported at the time that ‘people are even arming themselves for a possible war’ in the region, leading to intense talks between various military and security leaders from Kampala and local leaders. In the end President Museveni relented and explicitly went back on his previous commitment against the creation of new districts along ethnic lines, noting later in a speech that he had supported the new districts as their inhabitants were ethnically different from the surrounding Batoro people (*NV* 24/4/2002).

A second example comes from the aforementioned Kibaale district, whose residents are split between members of the Banyoro and Bakiga ethnic groups and who have often clashed in recent years (see section 3.2 above). During the 2006 presidential campaign Museveni proposed the removal of the Bakiga-dominated Buyaga county from Kibaale and its re-creation as a new district, which would make Kibaale once again a Banyoro-dominated district. Yet, as with the Toro kingdom and Kabarole district above, the Banyoro kingdom government rejected any proposed new district in its territory where Banyoro would be dominated by non-Banyoro Ugandans and which would therefore most likely secede from the kingdom. Local Bakiga, of course, welcomed the proposed district, thereby exacerbating the already serious rift between the two communities that has been erupting off and on since 2002 (Green 2007).

¹¹ After having been abolished by Milton Obote in 1967, four of Uganda’s kingdoms (Busoga, Buganda, Bunyoro and Toro) were restored in 1993, albeit as cultural institutions with no power over taxation or administration. While districts thus do not currently contribute any funds to the upkeep of kingdom, Buganda monarchists have led the drive to create regional or federal tiers of government at the level of the kingdoms, which would then have both fiscal and political power. As LRA negotiators have also come out recently in support of a regional tier system, its eventual creation continues to look more and more likely, thereby creating a large incentive for kingdom governments to prevent districts under their nominal aegis from seceding.

A third example comes from ethnically Japadhola-dominated Tororo district in eastern Uganda, where a number of minority Iteso residents in Tororo county have petitioned the government for their own district. The Commission of Inquiry appointed by the central government agreed to create the district but failed to assign the current district capital, whose residents are both Japadhola and Iteso, to the new district. The rift led to ethnic divisions in the February 2006 parliamentary race, with many local Iteso supporting the Ugandan Asian candidate Sanjay Tana against the incumbent MP for Tororo Municipality, Yeri Ofwono. After winning the election, Tana escaped a petrol bomb attack at his residence in April 2006, while in August soldiers from the Ugandan Peoples Defence Forces (UPDF, the Ugandan army) forcibly broke up a meeting of Tororo county councillors on the behest of the LCV chairman. In October 2006 the UPDF was again deployed in town after rumours that local Iteso extremists were planning on burning down the district headquarters. Making explicit the logic of district creation under Museveni, one local councillor noted in anger, 'even areas which did not ask for districts have been given and have started operating. We have been asking for a district since 1998' (*M* 6/10/2006).

A fourth and final example comes from Buliisa, a new district created in July 2006 on the north-eastern shores of Lake Albert. Less than a year later violent conflict broke out between members of the majority Bagungu ethnic group, historically considered a sub-clan of the Banyoro but nonetheless listed as an indigenous ethnic group in the Constitution, and Banyarwanda pastoralists, known locally as *Balaalo* (herdsmen). Accusations that the *Balaalo*, whom many locals accused of being Rwandan immigrants, had allowed their cattle to graze onto Bagungu agricultural land and destroy crops led to bloody clashes in June and July 2007, drawing anti-riot police and attempts by the central government to resettle the *Balaalo* elsewhere in Uganda. While the conflict is multi-faceted and undoubtedly related to the recent oil exploration in the Lake Albert region, it is notable that there is no record of any Bagungu/*Balaalo* clashes before the creation of Buliisa district, despite evidence that the *Balaalo* first purchased land in the region in 2003. Moreover, one of the local Bagungu most often accused of instigating the conflict is the local MP Stephen Birahwa Mukitale, who was elected in 2006 after successfully petitioning for the creation of Buliisa district; the new government positions of LCV Chairperson and Women MP created along with the district also went to Bagungu hardliners unwilling to compromise with the *Balaalo*. Thus, as with Tororo and elsewhere, the creation of new districts has allowed local extremists to assume power and exacerbate ethnic tensions.

5. Conclusion

As more generally with Museveni's rule, which has turned sour for both Ugandans and donors in recent years, the initial expectation that the LC system would radically transform local politics in Uganda has not been fulfilled. As Golooba-Mutebi (1999: 149) writes, 'much of the applause heaped on the [LC] system in its juvenile days was precipitate. Ten years after the system had been established countrywide, it had begun to show signs of atrophy and possible terminal decline.' Similarly, Mamdani (1996; 1997)'s initial infatuation with the LC system had diminished by 2001, when he termed the reforms of the LC system merely 'partial and tentative' (Mamdani 2001: 171). Thus, despite measuring favourably against the autocratic local government system under Obote and Amin, it is clear that the LC system has failed to live up to its preliminary expectations.

These diminished expectations have no doubt been in part driven by the way decentralization has increased local-level conflict in Uganda in recent years. The concentration of power at the LCV level has led to struggles for power over district leadership positions, as exemplified most violently in the case of Kibaale but also in Kiboga and Masaka, as well as clashes between local and national governments at the district level. Similarly, Museveni's ongoing efforts to create new districts have intensified, rather than diminished, local ethnic conflicts as the creation of districts has altered the majority/minority status of local ethnic groups and thereby intensified inter-ethnic competition in such districts as Buliisa, Kabarole, Kibaale and Tororo.

Of course, to assume that Museveni is solely to blame for ongoing local-level conflict in Uganda would be to ignore the difficulties involved in governing an underdeveloped state like Uganda. As with other African states, the power of the central government in Uganda does not extend very far or deep outside urban areas, which has led Museveni to concentrate local power at the district level and then attempt to control that power through central-government appointees. He has similarly attempted to funnel resources to local clients at the local level by creating new districts. Indeed, it is no coincidence that Museveni proposed the creation of new districts in July 2005, less than a week before the Parliament voted to overturn presidential term limits and allow him to run for a third term.

In this sense Uganda does not look very different from other underdeveloped states like Nigeria and Sudan that have been unable to balance efforts at devolution and decentralization of power with conflict prevention and resolution. One of the clear lessons from Uganda is that the decentralization of power to the highest level of local government without an accompanying further decentralization of power to lower levels of local government is a recipe for conflict. This is the same problem in southern Sudan, where the concentration of power in the Government of Southern Sudan has excluded non-Dinka Equatorians and thus led to violent local ethnic conflict (Branch and Mampilly 2005). However, another lesson from ethnically heterogeneous states like Uganda is that this very same decentralization of power to smaller political units can increase local-level conflict by shifting power from ethnically heterogeneous areas to those dominated by only one or two ethnic groups. Indeed, the creation of new states and Local Government Areas across Nigeria since the 1970s has not only failed to halt ethnic and religious violence but may have even contributed to it (Ukiwo 2006). Uganda's and Nigeria's experience here thus echoes Treisman (2007: 239)'s worry that decentralization along ethnic lines 'merely relocates the problem [of minority ethnic representation] rather than solves it.'

Of course, these two lessons are somewhat contradictory, in that one argues for more decentralization while the other cautions against it. It is for these types of contradictions that Treisman (2007) correctly concludes that decentralization in and of itself cannot be seen as a necessary tool in conflict prevention and resolution. The Ugandan evidence here thus suggests that a more nuanced understanding of decentralization at the national and sub-national level is necessary to understand better how and when it may alleviate or exacerbate conflict. Certainly the next step is to examine in more detail similar processes in other such countries in order to generate more general conclusions on this topic.

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